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Judge Debra M. Brown
305 Main Street
Suite 329
Greenville, MS 38701

Re: Update re Cowan & United States of America v. Bolivar County Board of Education (Cleveland School District), No. 2:65-cv-00031-DMB (N.D. Miss.)

Dear Judge Brown,

The parties have failed to reach resolution in the matter of Cowan & United States of America v. Bolivar County Board of Education (Cleveland School District). The parties communicated on several occasions in a good faith effort to reach settlement, to no avail.

At this late point in the process, it is increasingly difficult to see how the Cleveland School District's latest plan could be implemented in a timely manner. The Cleveland School District ("CSD") has begun implementing the Court's plan adopted in the May 13, 2016 Order, as instructed by the Court. Plaintiffs recognize that the students and families in the CSD will not have access to unified and integrated middle and high schools in time for the 2017-18 school year unless current implementation measures around the Court's plan continue without modification.

Plaintiffs support the Court's adopted plan from the May 13, 2016 Order. We trust that this fair and reasonable plan will effectively integrate the CSD's middle and high schools, providing a long awaited remedy to the Plaintiffs. The prospect of further delay and uncertainty is an injustice too great to allow.

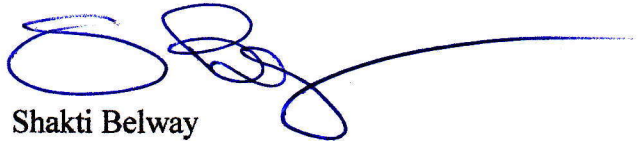
The ongoing consideration of additional plans has caused Plaintiffs grave concern. They are committed to the May 13, 2016 Order and support the implementation process. Further, Plaintiffs find unacceptable the CSD's fifth and most recent plan, that splits the high school into two-grade level schools ("fifth plan"). Foremost, Plaintiffs are alarmed by the disruption to the academic environment that the fifth plan causes. Plaintiffs and scores of community members have expressed disapproval of the CSD's fifth plan, seeing no benefit to it over the May 13, 2016 Order's plan. The fifth plan creates inefficiencies without offering benefits. At a number of community meetings many have wondered aloud why they should be forced to abandon the Court's plan that offers so many academic, developmental, and social benefits to CSD students.

Despite the aspirations of Plaintiffs to see the May, 13, 2016 Order's plan implemented, Counsel for Private Plaintiffs provided a compromise plan to the parties in an effort to find resolution ("Plaintiffs' Compromise Plan"). We were optimistic because the Plaintiffs' Compromise Plan presents the parties with an option for settlement and resolution of this matter in the best interests of the students. In broad terms, this plan would integrate the middle and high schools by grade level, maintain schools on both sides of town in a manner that is proportional based on student population, and fairly utilizes school facilities.

The Plaintiffs' Compromise Plan addresses the concerns Plaintiffs have raised with the CSD's most recent plan to split the high school into two-grade level schools. Moreover, it specifically addresses previously expressed concerns from the District about possible white student departure.

We support the Court's plan adopted in the May 13, 2016 Order. In the alternative, we remain open to ongoing negotiations and finding an amicable resolution. Thank you.

With regards,

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Shakti Belway
Counsel for Plaintiffs